

REMARKS

Amendment to the Claims

Upon entry of the foregoing amendment, twelve (12) claims are pending in the application. Of the pending claims, three (3) claims, Claim 1, 3, and 16 are independent. Support for the amendments is provided in the specification at page 17, lines 19-20 and 22-23, and page 16, line 7, and also at page 14, line 7.

Rejections under 35 U.S.C. § 103

The Examiner has rejected Claims 1 and 2 under 35 U.S.C. §103(a) as being unpatentable over Neitzel et al., (U.S. Pat. No. 3,213,780). It is respectfully submitted that this rejection should not be maintained against these claims as amended. The Neitzel reference cannot anticipate Claim 1 because the Neitzel reference has only a single strap driver driven by a single servo motor and the Neitzel reference does not disclose the orientation of drive wheels “in a plane perpendicular to the plane of the baling strap loop.” First, the Neitzel reference has only a single strap driver driven by a single motor. As explained in the response to the previous Office action, the primary advantage of the plurality of motors is that even when an individual motor has a malfunction, the baling operations may continue. Machines designed as in the Neitzel reference cannot continue to operate when the single motor has a malfunction. In the present invention, if one or more strap drivers fail, the carriage travel allows functioning strap drivers to iterate to the place of the failed strap driver to continue baling operation. Therefore, the use of

plurality of motors is not merely to increase power and cannot be seen as mere duplication of essential working parts.

Second, the Neitzel reference does not disclose the orientation of drive wheels in a plane perpendicular to the plane of the baling strap loop. Indeed, because of this, the Neitzel reference cannot incorporate a plurality of drivers instead of a single driver for it is impractical, if not impossible, to align each of the drivers with each of the strap guide tracks. All necessary parts, including an electrical motor (147), belts (148 and 149), sheaves (150, 151, and 152), and rollers (111 and 113) cannot be configured within the 9 and $\frac{1}{4}$ inches wide space between adjacent strap guide tracks. In contrast, the claimed invention, as currently amended, allows for all necessary components (including a motor and a pair of strap drive wheels) to be configured within the 9 and $\frac{1}{4}$ inches wide space between adjacent strap guide tracks. The claimed invention, as currently amended, accomplishes this by orienting the pair of strap drive wheels in a plane perpendicular to the plane of the baling strap loop which makes possible the narrow head dimension. The long dimension of servo motors is no more problematic with the claimed invention. Therefore, the use of a plurality of drivers (that is, a plurality of motors) cannot be accomplished with routine skill in the art and cannot be seen as mere duplication of essential working parts.

Claims 3-9 and 16-22 are rejected under 35 U.S.C. §103(a) as being unpatentable over Sauer et al., (U.S. Pat. No. 3,720,158). It is respectfully submitted that the Sauer reference does not disclose operation through “at least two adjacent strap guide tracks simultaneously.” It only successively applies strapping loops to an article. Because the Sauer reference cannot drive baling strap loop through “at least two adjacent strap guide tracks simultaneously” as claimed,

the Sauer reference cannot incorporate a plurality of bale strap drivers “each operatively aligned with one of the bale strap guide tracks.” with adjacent strap guide tracks.

As a separate and independent reason, the Sauer reference does not teach or suggest the orientation of drive wheels “in a plane perpendicular to the plane of the baling strap loop” as claimed.

Conclusion

For the reasons discussed above, Applicant respectfully submits that Claims 1-4, 6, 7, 9, 16, 17, and 20-22 as amended are allowable over the prior art of record.

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, he is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment is respectfully requested.

Respectfully submitted,

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